

## DCF Policy #84-012

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# POLICY FOR CLOSING COURT-INVOLVED CASES

## POLICY

It is the policy of the Department that when a decision is made to close a case in which the Department has court ordered custody of the child(ren), the Department will not close the case until the court returns custody to the parents and the case is dismissed.

## PROCEDURES

1. **Returning a Child Home.** When a child(ren) who has been in the custody of the Department by court order leaves substitute care, it may be appropriate for the Department to retain custody for a period of time following the child's return home. The decision should be made by the Social Worker in consultation with the Supervisor. The decision to return the child to the parents while retaining custody must be approved by the Supervisor. Consultation with Department legal staff also may be appropriate.

In situations where the Department retains custody of a child who has returned home, the Social Worker and the Supervisor should monitor the continued need for Department custody. When the Social Worker and Supervisor agree that the family unit has stabilized sufficiently so that Department custody is no longer warranted, the Social Worker contacts the Department Attorney assigned to the case.

2. **Dismissing Court Case.** The Social Worker asks the assigned attorney to file the necessary motions in order to obtain the court's approval for a return of custody to the parents and dismissal of the case.

If the motions are granted, the Social Worker, in consultation with the Supervisor, may determine that Department services are no longer necessary, and she/he may proceed, with the approval of the Area Director/designee, to close the case. (See *Policy #86-007, Case Closing Policy*)

If the motions are not granted, the Department case must remain open until custody is returned by the court to the parents and the court case is dismissed.